

Daily Digest

HIGHLIGHTS

Senate passed S. 2845, National Intelligence Reform Act.

Senate and House agreed to the Conference Report to accompany H.R. 4850, District of Columbia Appropriations Act.

The House passed H.R. 5212, Further Supplemental Appropriations for Disaster Relief.

Senate

Chamber Action

Routine Proceedings, pages S10469–S10613

Measures Introduced: Eleven bills and four resolutions were introduced, as follows: S. 2899–2909, S. Res. 448–450, and S. Con. Res. 141. **Page S10568**

Measures Passed:

Trademarks: Committee on the Judiciary was discharged from further consideration of S. 2796, to clarify that service marks, collective marks, and certification marks are entitled to the same protections, rights, and privileges of trademarks, and the bill was then passed. **Page S10488**

Copyright Royalty and Distribution Reform Act: Senate passed H.R. 1417, to amend title 17, United States Code, to replace copyright arbitration royalty panels with Copyright Royalty Judges, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S10488–S10504**

Collins (for Hatch/Leahy) Amendment No. 3975, in the nature of a substitute. **Page S10504**

Public Works and Economic Development Act Reauthorization: Senate passed S. 1134, to reauthorize and improve the program authorized by the Public Works and Economic Development Act of 1965, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S10504–12**

Collins (for Inhofe) Amendment No. 3976, in the nature of a substitute. **Page S10512**

National Intelligence Reform Act: By 96 yeas to 2 nays (Vote No. 199), Senate passed S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, after taking action on the following amendments proposed thereto: **Pages S10476–88, S10512–43**

Adopted:

Stevens Modified Amendment No. 3840, to modify the discharge of the milestone decision authority with respect to the acquisition of major systems for intelligence programs of the Department of Defense. **Pages S10476–78**

Stevens Modified Amendment No. 3830, to modify certain provisions relating to the Central Intelligence Agency. **Pages S10476–78**

Stevens Modified Amendment No. 3882, to improve the provisions relating to the Inspector General of the National Intelligence Authority. **Pages S10476–78**

By a unanimous vote of 98 yeas (Vote No. 198), Roberts Modified Amendment No. 3742, to clarify the continuing applicability of section 504 of the National Security Act of 1947 to the obligation and expenditure of funds appropriated for the intelligence and intelligence-related activities of the United States. **Pages S10476, S10485–86**

Leahy/Grassley Amendment No. 3945, to require Congressional oversight of translators employed and contracted for by the Federal Bureau of Investigation. **Pages S10476, S10486–87**

Reid (for Harkin) Modified Amendment No. 3821, to modify the functions of the Privacy and Civil Liberties Oversight Board. **Pages S10476, S10487**

Collins/Lieberman Amendment No. 3962 (to Amendment No. 3809), to improve the amendment. **Pages S10487–88**

Levin Modified Amendment No. 3809, to exempt military personnel from certain personnel transfer authorities. **Pages S10476, S10487–88**

Warner Modified Amendment No. 3875, relating to the components of the National Intelligence Program. **Pages S10476, S10516–18**

Stevens/Inouye Modified Amendment No. 3827, to strike section 206, relating to information sharing. **Pages S10476, S10518–19**

Reid (for Leahy) Modified Amendment No. 3915, to establish criteria for placing individuals on the

consolidated screening watch list of the Terrorist Screening Center. **Pages S10476, S10520–21**

Reid (for Leahy) Modified Amendment No. 3916, to strengthen civil liberties protections. **Pages S10476, S10521**

Collins (for Frist) Further Modified Amendment No. 3895, to establish the National Counterproliferation Center within the National Intelligence Authority. **Pages S10476, S10537–40**

Collins (for Frist) Amendment No. 3896, to include certain additional Members of Congress among the congressional intelligence committees. **Pages S10476, S10540**

Collins/Lieberman Amendment No. 3977, to improve the bill. **Pages S10541–43**

Collins (for Ensign) Amendment No. 3978, to authorize the Secretary of State to increase the number of consular officers, clarify the responsibilities and functions of consular officers, and require the Secretary of Homeland Security to increase the number of border patrol agents and customs enforcement investigators. **Pages S10541–43**

Collins (for Kyl) Amendment No. 3979, to amend the Immigration and Nationality Act to ensure that nonimmigrant visas are not issued to individuals with connections to terrorism or who intend to carry out terrorist activities in the United States. **Pages S10541–43**

Lieberman (for Schumer) Amendment No. 3980, to require the establishment of pilot projects relating to the coordination of information among emergency first responders. **Pages S10541–43**

Lieberman (for Conrad) Modified Amendment No. 3837, to require the Secretary of Homeland Security to carry out an advanced technology northern border security pilot program. **Pages S10541–43**

Collins (for Domenici) Modified Amendment No. 3861, to direct the Secretary of Homeland Security to develop and implement a plan for continuous surveillance of the Southwest border of the United States by remotely piloted aircraft. **Pages S10541–43**

Lieberman (for Sarbanes) Amendment No. 3760, to provide that the Privacy and Civil Liberties Oversight Board include in certain reports, any proposal that the Board advised against, but actions were taken to implement. **Pages S10541–43**

Collins (for Roberts/DeWine) Modified Amendment No. 3924, to require the Federal Bureau of Investigation to maintain and update an enterprise architecture. **Pages S10541–43**

Lieberman (for Wyden) Modified Amendment No. 3733, to provide a report on the use of data to Congress. **Pages S10541–43**

Collins (for Warner) Modified Amendment No. 3880, to provide that the personnel policies and programs established by the National Intelligence Director shall be consistent with the personnel policies and standards applicable to members of the uniformed services. **Pages S10541–43**

Withdrawn:

Kyl Amendment No. 3801, to modify the privacy and civil liberties oversight. **Pages S10476, S10481–85**

Levin Amendment No. 3810, to clarify the definition of National Intelligence Program. **Pages S10476, S10518**

Stevens Amendment No. 3839, to strike section 201, relating to public disclosure of intelligence funding. **Pages S10476, S10519**

Reid (for Leahy) Amendment No. 3913, to address enforcement of certain subpoenas. **Pages S10476, S10521**

Warner Amendment No. 3876, to preserve certain authorities and accountability in the implementation of intelligence reform. **Pages S10476, S10540**

A unanimous-consent agreement was reached providing that it be in order for the following previously agreed upon amendments to be consolidated into one title under the heading: "9/11 Commission Report Implementation Act": Amendment Numbers: 3942, 3807, 3702, 3774, 3705, 3766, and 3806. **Page S10522**

During consideration of this measure today, Senate also took the following action:

McCain/Lieberman Modified Amendment No. 3807, to develop a strategy for combining terrorist travel intelligence, operations, and law enforcement, previously agreed to on Friday, October 1, 2004, was modified by unanimous-consent. **Pages S10540–41**

Anabolic Steroid Control Act: Senate passed S. 2195, to amend the Controlled Substances Act to clarify the definition of anabolic steroids and to provide for research and education activities relating to steroids and steroid precursors, after agreeing to the committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S10606–09**

Frist (for Hatch/Biden) Amendment No. 3982, to make a technical amendment. **Page S10609**

Authorizing Legal Representation: Senate agreed to S. Res. 450, to authorize testimony and representation in United States v. Daniel Bayly, et al. **Pages S10610–11**

Family Farmer Bankruptcy Relief Act: Committee on the Judiciary was discharged from further consideration of S. 2864, to extend for eighteen months the period for which chapter 12 of title 11, United States Code, is reenacted, and the bill was then passed. **Page S10611**

National Earthquake Hazards Reduction Program: Senate passed H.R. 2608, to reauthorize the National Earthquake Hazards Reduction Program, after agreeing to the following amendment proposed thereto: **Pages S10611–12**

McConnell (for McCain/Nelson) Amendment No. 3983, in the nature of a substitute. **Page S10612**

Belarus Democracy Act: Senate passed H.R. 854, to provide for the promotion of democracy, human rights, and rule of law in the Republic of Belarus

and for the consolidation and strengthening of Belarus sovereignty and independence, clearing the measure for the President. **Pages S10612–13**

Intelligence Committee Reorganization: Senate began consideration of S. Res. 445, to eliminate certain restrictions on service of a Senator on the Senate Select Committee on Intelligence, taking action on the following amendment proposed thereto:

Pages S10543–51

Pending:

McConnell/Reid/Frist/Daschle Amendment No. 3981, in the nature of a substitute. **Pages S10543–51**

A motion was entered to close further debate on McConnell/Reid/Frist/Daschle Amendment No. 3981, in the nature of a substitute and, in accordance with provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, October 8, 2004. **Page S10550**

A motion was entered to close further debate on S. Res. 445 and, in accordance with provisions of Rule XXII of the Standing Rules of the Senate, a cloture vote will occur on Friday, October 8, 2004. **Page S10551**

A unanimous-consent agreement was reached providing for further consideration of the resolution at approximately 10 a.m., on Thursday, October 7, 2004. **Page S10555**

District of Columbia Appropriations—Conference Report: Senate agreed to the conference report to accompany H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2005, clearing the measure for the President. **Pages S10609–10**

Appointments:

NATO Parliamentary Assembly: The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appointed the following Senators as members of the Senate Delegation to the NATO Parliamentary Assembly during the Second Session of the 108th Congress: Senators Grassley, DeWine, Enzi, and Voinovich. **Page S10606**

Nominations Confirmed: Committee on Foreign Relations was discharged from further consideration of the following nominations which were then confirmed:

Christopher J. LaFleur, of New York, to be Ambassador to Malaysia.

B. Lynn Pascoe, of Virginia, to be Ambassador to the Republic of Indonesia.

Ryan C. Crocker, of Washington, to be Ambassador to the Islamic Republic of Pakistan.

Marcie B. Ries, of the District of Columbia, to be Ambassador to the Republic of Albania.

A routine list in the Department of State.

Pages S10555, S10606

Nominations Received: Senate received the following nomination:

1 Air Force nomination in the rank of general.

Page S10555

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

1 Air Force nomination in the rank of general.

Page S10555

Nominations Discharged: Committee on Foreign Relations was discharged from further consideration of the following nominations which were then placed on the Executive Calendar:

Lloyd O. Pierson, of Virginia, to be an Assistant Administrator of the United States Agency for International Development, which was sent to the Senate on July 21, 2004, from the Senate Committee on Foreign Relations.

Lloyd O. Pierson, an Assistant Administrator of the United States Agency for International Development, to be a Member of the Board of Directors of the African Development Foundation for a term expiring September 22, 2009, which was sent to the Senate on July 21, 2004, from the Senate Committee on Foreign Relations.

Hector E. Morales, of Texas, to be United States Executive Director of the Inter-American Development Bank for a term of three years, which was sent to the Senate on July 22, 2004, from the Senate Committee on Foreign Relations.

Douglas Menarchik, of Texas, to be an Assistant Administrator of the United States Agency for International Development, which was sent to the Senate on September 8, 2004, from the Senate Committee on Foreign Relations.

Catherine Todd Bailey, of Kentucky, to be Ambassador to the Republic of Latvia, which was sent to the Senate on September 8, 2004, from the Senate Committee on Foreign Relations.

Pages S10555, S10567

Messages From the House:

Page S10566

Measures Referred:

Page S10566

Executive Reports of Committees:

Page S10566

Additional Cosponsors:

Pages S10568–70

Statements on Introduced Bills/Resolutions:

Pages S10570–87

Additional Statements:

Pages S10564–66

Amendments Submitted:

Pages S10587–S10605

Authority for Committees to Meet:

Pages S10605–06

Record Votes: Two record votes were taken today. (Total—199)

Pages S10486, S10543

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:01 p.m., until 9:30 a.m., on Thursday, October 7, 2004. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S10555.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Francis J. Harvey, of California, to be Secretary of the Army, Richard Greco, Jr., of New York, to be an Assistant Secretary of the Navy for Financial Management, who was introduced by Senator Brownback, and General Gregory S. Martin, USAF, for reappointment to the grade of general and to be Commander, United States Pacific Command, after the nominees testified and answered questions in their own behalf.

WMD'S

Committee on Armed Services: Committee concluded a hearing to examine the report of the Special Advisor to the Director of Central Intelligence for Strategy Regarding Iraqi Weapons of Mass Destruction Programs, after receiving testimony from Charles A. Duelfer, Special Advisor to the Director of Central Intelligence for Strategy Regarding Iraqi Weapons of Mass Destruction Programs; and Brigadier General Joseph J. McMenamin, USMC, Commander of the Iraq Survey Group.

NATURAL GAS

Committee on Commerce, Science, and Transportation: Subcommittee on Competition, Foreign Commerce, and Infrastructure concluded a hearing to examine issues relating to natural gas, focusing on the domestic supply and cost for the approaching peak winter months, after receiving testimony from Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; Paul Wilkinson, American Gas Association, and Wenonah Hauter, Public Citizen Energy Program, both of Washington, DC; and Gary D. Huss, Hudapack Metal Treating, Inc., Elkhorn, Wisconsin, on behalf of the National Association of Manufacturers.

CURRENT VISA POLICY

Committee on Foreign Relations: Committee concluded a hearing to examine the impact of current visa policy on international students and researchers, after

receiving testimony from Martin C. Jischke, Purdue University, West Lafayette, Indiana; Adam W. Herbert, Indiana University, Bloomington; C.D. Mote, Jr., University of Maryland, College Park; Catheryn Cotten, Duke University International Office, Durham, North Carolina; Allan E. Goodman, Institute of International Education, New York, New York; and Marlene M. Johnson, NAFSA: Association of International Educators, and Theodore H. Kattouf, AMIDEAST, both of Washington, DC.

EAST ASIA HEALTH PROGRAMS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine neglected diseases in East Asia regarding public health programs, focusing on malaria, the Global Fund to Fight AIDS, Tuberculosis, and Malaria, and the World Health Organization, after receiving testimony from Anne Peterson, Assistant Administrator for Global Health, U.S. Agency for International Development; Donald R. Roberts, Professor, Division of Tropical Public Health, Department of Preventive Medicine and Biometrics, Uniformed Services University of the Health Sciences; and Robert Desowitz, University of North Carolina School of Public Health, Chapel Hill.

BUSINESS MEETING

Committee on Indian Affairs: Committee approved the issuance of additional subpoenas pursuant to the In re Tribal Lobbying Matters, et al. investigation.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nominations of Robert Allen Pittman, of Florida, to be an Assistant Secretary of Veterans Affairs (Human Resources and Administration), and Robert N. Davis, of Florida, Mary J. Schoelen, of the District of Columbia, and William A. Moorman, of Virginia, each to be a Judge of the United States Court of Appeals for Veterans' Claims.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 16 public bills, H.R. 5225–5240; 1 private bill, H.R. 5241; and 4 resolutions, H. Con. Res. 510, and H. Res. 824–826, were introduced. **Pages H8407–08**

Additional Cosponsors: **Pages H8408–09**

Reports Filed: Reports were filed today as follows:

H.R. 4667, to authorize and facilitate hydroelectric power licensing of the Tapoco Project (H. Rept. 108–721, Pt. 2);

H.R. 4887, to adjust the boundary of the Cumberland Island Wilderness, to authorize tours of the Cumberland Island National Seashore, amended (H. Rept. 108–738);

H.R. 4984, to provide that the royalty rate on the output from Federal lands of potassium and potassium compounds from the mineral sylvite in the 5-year period beginning on the date of the enactment of this Act shall be reduced to 1.0 percent (H. Rept. 108–739);

S. 434, to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes (H. Rept. 108–740);

H.R. 4285, to provide for the conveyance of certain public land in Clark County, Nevada, for use as a heliport (H. Rept. 108–741);

H.R. 4282, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (H. Rept. 108–742);

H.R. 3258, to authorize the Secretary of the Interior, in cooperation with the University of New Mexico, to construct and occupy a portion of the Hibben Center for Archaeological Research at the University of New Mexico, amended (H. Rept. 108–743);

H.R. 3207, to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System, amended (H. Rept. 108–744);

H. Res. 556, congratulating the United States Geological Survey on its 125th Anniversary (H. Rept. 108–745);

H.R. 5082, to authorize the Secretary of Transportation to award grants to public transportation agencies and over-the-road bus operators to improve security, amended (H. Rept. 108–746);

H.R. 775, to amend the Immigration and Nationality Act to eliminate the diversity immigrant program (H. Rept. 108–747);

H.R. 3755, to authorize the Secretary of Housing and Urban Development to insure zero-downpayment mortgages for one-unit residences, amended (H. Rept. 108–748);

H.R. 5163, to amend title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology (H. Rept. 108–749, Pt. 1); and

H.R. 3242, to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops, amended (H. Rept. 108–750, Pt. 1);

H. Res. 827, providing for consideration H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination (H. Rept. 108–751);

H. Res. 828, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–752); and

H. Res. 829, providing for consideration of motions to suspend the rules (H. Rept. 108–753).

Page H8407

Speaker: Read a letter from the Speaker wherein he appointed Representative Isakson to act as Speaker Pro Tempore for today.

Page H8171

Chaplain: The prayer was offered today by the Rev. John J. Ryan, Pastor, St. Brendan Roman Catholic Church in Ormond Beach, Florida.

Page H8171

Justice for All Act of 2004: The House passed H.R. 5107, to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, by a yeas-and-nays vote of 393 yeas to 14 nays, Roll No. 497.

Pages H8179–H8204, H8208–09

Agreed to the Sensenbrenner amendment (printed in H. Rept. 108–737) that changes provisions to allow a victim a right to bring a motion to enforce the right to be heard in plea, sentence, and parole proceedings.

Pages H8195–H8204

H. Res. 823, the rule providing for consideration of the rule was agreed to by voice vote.

Pages H8175–77

District of Columbia Appropriations Act, 2005—Conference Report: The House agreed to the conference report to accompany H.R. 4850, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2005, by a yeas-and-nays vote of 377 yeas to 36 nays, Roll No. 498.

Pages H8204–08, H8209–10

H. Res. 822, the rule providing for consideration of the conference report was agreed to by voice vote.

Pages H8177–79

Suspensions: The House agreed to suspend the rules and pass the following measures:

Satellite Home Viewer Extension and Reauthorization Act of 2004: H.R. 4518, amended, to extend the statutory license for secondary transmissions under section 119 of title 17, United States Code;

Pages H8210–24

Agreed to amend the title so as to read: to extend the statutory license for secondary transmissions by satellite carriers of transmissions by television broadcast stations under title 17, United States Code, and to amend the Communications Act of 1934 with respect to such transmissions.

Page H8224

Water Supply, Reliability, and Environmental Improvement Act: Agree to the Senate amendment to H.R. 2828, to authorize the Secretary of the Interior to implement water supply technology and infrastructure programs aimed at increasing and diversifying domestic water resources—clearing the measure for the President;

Pages H8224–35

Amending the Immigration and Nationality Act with regard to employment eligibility: H.R. 4306, amended, to amend section 274A of the Immigration and Nationality Act to improve the process for verifying an individual's eligibility for employment;

Pages H8235–37

Access to Rural Physicians Improvement Act of 2004: H.R. 4453, amended, to improve access to physicians in medically underserved areas;

Pages H8237–39

Mentally Ill Offender Treatment and Crime Reduction Act of 2003: S. 1194, amended, to foster local collaborations which will ensure that resources are effectively and efficiently used within the criminal and juvenile justice systems;

Pages H8239–45

Extending certain authority of the Supreme Court Police: S. 2742, to extend certain authority of the Supreme Court Police, modify the venue of prosecutions relating to the Supreme Court building and grounds, and authorize the acceptance of gifts to the United States Supreme Court—clearing the measure for the President;

Pages H8245–46

Honoring the victims of the Sixteenth Street Baptist Church bombing on the occasion of its 40th anniversary: H. Res. 389, honoring the young victims of the Sixteenth Street Baptist Church bombing, recognizing the historical significance of the

tragic event, and commending the efforts of law enforcement personnel to bring the perpetrators of this crime to justice on the occasion of its 40th anniversary;

Pages H8246–50

Honoring the goals and ideals of National Nurse Practitioners Week: H. Con. Res. 500, honoring the goals and ideals of National Nurse Practitioners Week;

Pages H8252–53

Amending the Public Health Service Act relating to children's hospitals: H.R. 5204, to amend section 340E of the Public Health Service Act (relating to children's hospitals) to modify provisions regarding the determination of the amount of payments for indirect expenses associated with operating approved graduate medical residency training programs;

Pages H8253–55

District of Columbia Civil Commitment Modernization Act of 2004: H.R. 4302, amended, to amend title 21, District of Columbia Official Code, to enact the provisions of the Mental Health Civil Commitment Act of 2002 which affect the Commission on Mental Health and require action by Congress in order to take effect;

Pages H8257–59

Federal Workforce Flexibility Act of 2003: S. 129, amended, to provide for reform relating to Federal employment;

Pages H8259–64

Congratulating Andrew Wojtanik for winning the 16th Annual National Geographic Bee: H. Res. 815, congratulating Andrew Wojtanik for winning the 16th Annual National Geographic Bee, conducted by the National Geographic Society;

Pages H8264–65

Honoring the communities that received the 2004 All-America City Award: H. Con. Res. 464, honoring the 10 communities selected to receive the 2004 All-America City Award;

Pages H8265–68

Leonard C. Burch Post Office Building Designation Act: H.R. 5051, to designate the facility of the United States Postal Service located at 1001 Williams Street in Ignacio, Colorado, as the "Leonard C. Burch Post Office Building";

Pages H8268–69

Adam G. Kinser Post Office Building Designation Act: H.R. 4807, to designate the facility of the United States Postal Service located at 140 Sacramento Street in Rio Vista, California, as the "Adam G. Kinser Post Office Building";

Pages H8269–70

Robert J. Opinsky Post Office Building Designation Act: S. 2415, to designate the facility of the United States Postal Service located at 4141 Postmark Drive, Anchorage, Alaska, as the "Robert J. Opinsky Post Office Building";—clearing the measure for the President;

Page H8270

Lieutenant General James V. Edmundson Post Office Building Designation Act: H.R. 4847, to designate the facility of the United States Postal Service located at 560 Bay Isles Road in Longboat

Key, Florida, as the “Lieutenant General James V. Edmundson Post Office Building”; **Pages H8271–72**

Bill Monroe Post Office Designation Act: H.R. 4968, to designate the facility of the United States Postal Service located at 25 McHenry Street in Rosine, Kentucky, as the “Bill Monroe Post Office”; **Page H8272**

Lieutenant John F. Finn Post Office Designation Act: H.R. 5053, to designate the facility of the United States Postal Service located at 1475 Western Avenue, Suite 45, in Albany, New York, as the “Lieutenant John F. Finn Post Office”; **Pages H8272–74**

Congressman Jack Fields Post Office Redesignation Act: H.R. 4232, to redesignate the facility of the United States Postal Service located at 4025 Feather Lakes Way in Kingwood, Texas, as the “Congressman Jack Fields Post Office”; **Pages H8274–76**

Irma Rangel Post Office Building Designation Act: H.R. 4829, to designate the facility of the United States Postal Service located at 103 East Kleberg in Kingsville, Texas, as the “Irma Rangel Post Office Building”; **Pages H8276–78**

Special Olympics Sport and Empowerment Act of 2004: H.R. 5131, to provide assistance to Special Olympics to support expansion of Special Olympics and development of education programs and a Healthy Athletes Program; **Pages H8311–14**

Honoring former President Jimmy Carter on his 80th birthday: H. Res. 798, amended, honoring former President James Earl (Jimmy) Carter on the occasion of his 80th birthday; **Pages H8314–17**

Temporarily extending the programs under the Higher Education Act of 1965: H.R. 5185, amended, to temporarily extend the programs under the Higher Education Act of 1965; **Pages H8317–19**

Supporting efforts to assist youths in high-risk situations: H. Res. 805, supporting efforts to promote greater public awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for youth in high-risk situations; **Pages H8326–28**

Sense of Congress that student travel is a vital component of the educational process: H. Con. Res. 131, amended, expressing the sense of the Congress that student travel is a vital component of the educational process; **Pages H8328–29**

Supporting the goals and ideals of “Lights On Afterschool” programs: H. Res. 809, amended, supporting the goals and ideals of “Lights On Afterschool”, a national celebration of after-school programs; **Pages H8329–30**

Recognizing and supporting efforts to promote greater civic awareness in the U.S.: H. Res. 796, recognizing and supporting all efforts to promote greater civic awareness among the people of the United States; **Pages H8331–37**

Amending the Federal Water Pollution Control Act with regard to the Lake Pontchartrain Basin Restoration Program: H.R. 4470, amended, to amend the Federal Water Pollution Control Act to extend the authorization of appropriations for the Lake Pontchartrain Basin Restoration Program from fiscal year 2005 to 2010; **Pages H8337–38**

Amending the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000: H.R. 4794, amended, to amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations; **Pages H8338–40**

Norman Y. Mineta Research and Special Programs Reorganization Act: H.R. 5163, amended, to amend title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology; **Pages H8340–44**

Amending the Lease Lot Conveyance Act of 2002: S. 1791, to amend the Lease Lot Conveyance Act of 2002 to provide that the amounts received by the United States under that Act shall be deposited in the reclamation fund—clearing the measure for the President; **Pages H8349–50**

Chimayo Water Supply System and Espanola Filtration Facility Act of 2004: S. 2511, to direct the Secretary of the Interior to conduct a feasibility study of a Chimayo water supply system, to provide for the planning, design, and construction of a water supply, reclamation, and filtration facility for Espanola, New Mexico—clearing the measure for the President; **Pages H8350–51**

National Park System Laws Technical Amendments Act of 2004: S. 2178, to make technical corrections to laws relating to certain units of the National Park System and to National Park programs—clearing the measure for the President; **Pages H8351–52**

Northern Rio Grande National Heritage Area Act: S. 211, amended, to establish the Northern Rio Grande National Heritage Area in the State of New Mexico; **Pages H8352–65**

American Indian Probate Reform Act of 2004: S. 1721, to amend the Indian Land Consolidation Act to improve provisions relating to probate of trust and restricted land; **Pages H8365–76**

Congratulating Mojave Aerospace Ventures for Winning the Ansari X Prize: H. Res. 820, amended, to congratulate Mojave Aerospace Ventures for winning the privately funded \$10,000,000 Ansari X Prize and commend the X Prize Foundation for spurring this achievement; **Pages H8376–77**

Specialty Crops Competitiveness Act of 2003: H.R. 3242, amended, to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the

competitiveness of United States-grown specialty crops; and
Pages H8377–82

Homeless Veterans Assistance Reauthorization Act of 2004: H.R. 4248, amended, to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to make grants to expand or modify existing comprehensive service programs for homeless veterans.
Pages H8382–84

Agreed to amend the title so as to read: to amend title 38, United States Code, to increase the authorization of appropriations for the Secretary of Veterans Affairs to make grants to existing comprehensive service programs for homeless veterans.
Page H8384

Servicemembers Legal Protection Act of 2004: H.R. 4658, amended, to amend the Servicemembers Civil Relief Act to make certain improvements and technical corrections to that Act;
Pages H8384–90

Agreed to amend the title so as to read: to amend the Servicemembers Civil Relief Act to make certain improvements and technical corrections to that Act, otherwise to improve legal protections provided to reserve component members called to active duty.
Page H8390

Congratulating and commending the Veterans of Foreign Wars: H.J. Res. 108, congratulating and commending the Veterans of Foreign Wars;
Pages H8390–91

Sense of Congress that a minute of silence should be observed annually on Veterans Day, November 11: H. Con. Res. 195, expressing the sense of Congress that a minute of silence should be observed annually at 11 a.m. on Veterans Day, November 11, in honor of the veterans of all United States wars and to memorialize those members of the Armed Forces who gave their lives in the defense of the United States;
Pages H8391–92

Celebrating the 50th anniversary of the opening of the Falcon International Dam: H. Res. 818, celebrating the 50th anniversary of the opening of the Falcon International Dam, recognizing the dam's importance as a source of water and power and as a symbol of friendship and cooperation between the United States and the United Mexican States, and urging Mexico to honor all of its obligations under the 1944 Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande;
Pages H8398–99

Condemning the abduction of Dylan Benwell from the U.S.: H. Res. 821, condemning the abduction of Dylan Benwell from the United States and calling for his return; and
Pages H8399–H8401

Calling on the U.N. Security Council to take appropriate action in Burma: H. Res. 768, calling on the United Nations Security Council to immediately consider and take appropriate action to respond to the growing threat that the ruling State Peace and Development Council in Burma poses to the South-east Asia region and to the people of Burma.
Pages H8401–03

Suspensions—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Consideration on the measures will continue tomorrow, October 7.

Internet Spyware (I-SPY) Prevention Act of 2004: H.R. 4661, amended, to amend title 18, United States Code, to discourage spyware;
Pages H8250–52

Research Review Act of 2004: H.R. 5213, amended, to expand research information regarding multidisciplinary research projects and epidemiological studies;
Pages H8255–57

Providing additional teacher loan forgiveness on Federal student loans: H.R. 5186, amended, to reduce certain special allowance payments and provide additional teacher loan forgiveness on Federal student loans; and
Pages H8319–26

Reauthorizing and improving programs under the Public Works and Economic Development Act of 1965: S. 1134, to reauthorize and improve the programs authorized by the Public Works and Economic Development Act of 1965; and
Pages H8344–49

Comprehensive Peace in Sudan Act: H.R. 5061, amended, to provide assistance for the current crisis in the Darfur region of Sudan and to facilitate a comprehensive peace in Sudan.
Pages H8393–98

Continue Consideration of Suspensions: Agreed that the Speaker be authorized to entertain motions to suspend the rules for the remainder of this legislative day;
Page H8326

Further Supplemental Appropriations for Disaster Relief: The House passed H.R. 5212, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, for additional disaster assistance relating to storm damage, by yeand-nay vote of 412 yeas with none voting "nay", Roll No. 501.
Pages H8287–H8311

Agreed to the Neugebauer amendment (No. 2 printed in the Congressional Record of October 6) that changes section 101 of the bill relating to Agriculture Disaster Assistance.
Pages H8304–07

Rejected the Hensarling amendment (printed in H. Rept. 108–735) that sought to fully offset the cost of the supplemental with a proportional reduction of FY05 discretionary funds once enacted (by a recorded vote of 89 yeas to 321 noes, Roll No. 500).
Pages H8307–10

H. Res. 819, the rule providing for consideration of the bill was agreed to by voice vote.
Pages H8278–87

Agreed to the Putnam amendment in the nature of a substitute to the rule by voice vote, after agreeing to order the previous question by a yeand-nay vote of 216 yeas to 186 nays, Roll No. 499.
Pages H8285–87

Additional Co-Sponsors: Agreed that the Union Calendar print of H.R. 10, to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international

cooperation and coordination, reflect additional co-sponsors submitted by the Speaker. **Page H8268**

Early Organization of 109th Congress: The House agreed to H. Res. 824, relating to early organization of the House of Representatives for the One Hundred Ninth Congress. **Page H8330**

Amending the Congressional Accountability Act of 1995: The House agreed to the Senate amendment to H.R. 5122, to amend the Congressional Accountability Act of 1995 to permit members of the Board of Directors of the Office of Compliance to serve for 2 terms—clearing the measure for the President. **Pages H8330–31**

Discharge Petition: Representative Miller of North Carolina moved to discharge the Committee on Rules from the consideration of H. Res. 800, providing for the consideration of H.R. 2802, to reauthorize the Small Business Act and the Small Business Investment Act of 1958 (Discharge Petition No. 16).

Senate Messages: Messages received from the Senate today appear on pages H8171, H8252, H8311, and H8403.

Senate Referrals: S. 2484, S. 2896, S. 1134, S. 2195, and S. 2895 were held at the desk; S. 2796 and S. 2864 were referred to the Committee on the Judiciary. **Page H8404**

Quorum Calls—Votes: Four yea-and-nay votes and one recorded vote developed during the proceedings of today. There were no quorum calls.

Pages H8208–09, H8209–10, H8286–87, H8310, H8310–11

Amendments: Amendments ordered printed pursuant to the rule appear on pages H8409–10.

Recess: The House recessed at 3:03 a.m. on Thursday, October 7 and reconvened at 8:07 a.m.

Page H8403

Adjournment: The House met at 10 a.m. and adjourned at 8:08 a.m. on Thursday, October 7.

Committee Meetings

FEDERAL REVENUE OPTIONS

Committee on the Budget: Held a hearing on Federal Revenue Options. Testimony was heard from Representatives Linder, Burgess, English, Price (NC) and Sandlin; and the following former Representatives from Texas: Richard K. Armey; and Bill Archer; and public witnesses.

CHILD PRODUCT SAFETY

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection held a hearing entitled “Child Product Safety: Do Current Standards Provide Enough Protection?” Testimony was heard from Hal Stratton, Chairman, Consumer Product Safety Commission; and public witnesses.

OFHEO REPORT—FANNIE MAE—ALLEGATIONS OF ACCOUNTING AND MANAGEMENT FAILURE

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled “The OFHEO Report: Allegations of Accounting and Management Failure at Fannie Mae.” Testimony was heard from Armando Falcon, Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development; the following officials of Fannie Mae: Franklin D. Raines, Chairman and Chief Executive Officer; Timothy Howard, Vice Chairman and Chief Financial Officer; and Ann McLaughlin Korologos, Presiding Director, Board of Directors.

COMBATING WEST NILE VIRUS—CURRENT CHALLENGES

Committee on Government Reform: Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs held a hearing entitled “Current Challenges in Combating the West Nile Virus.” Testimony was heard from the following officials of the Department of Health and Human Services: Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH; and Stephen M. Ostroff, M.D., Deputy Director, National Center for Infectious Diseases, Centers for Disease Control and Prevention; Benjamin J. Grumbles, Acting Assistant Administrator, Office of Water, EPA; John Pape, Chief Epidemiologist, Department of Public Health and Environment, State of Colorado; and public witnesses.

INTERNATIONAL RELIGIOUS FREEDOM 2004 ANNUAL REPORT

Committee on International Relations: Held a hearing on the Annual Report on International Religious Freedom 2004 and Designations of Countries of Particular Concern. Testimony was heard from Ambassador-at-Large John V. Hanford III, International Religious Freedom, Department of State; Preeta Bansal, Chair, U.S. Commission on International Religious Freedom; and public witnesses.

U.S. TRADE DISPUTES—PERU AND ECUADOR

Committee on International Relations: Subcommittee on Western Hemisphere held a hearing on U.S. Trade Disputes in Peru and Ecuador. Testimony was heard from Earl Anthony Wayne, Assistant Secretary, Bureau of Economic and Business Affairs, Department of State; Regina K. Vargo, Assistant U.S. Trade Representative for the Americas; and public witnesses.

OVERSIGHT—PRESIDENTIAL SUCCESSION ACT

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing on the Presidential Succession Act. Testimony was heard from

Representative Sherman; Thomas H. Neale, Government and Finance Division, CRS, Library of Congress; and public witnesses.

SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE—CONFERENCE REPORT—AMERICAN JOBS CREATION ACT

Committee on Rules: Granted, by voice vote, a rule waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The rule applies the waiver to any special rule reported on the legislative day of October 7, 2004, providing for consideration or disposition of a conference report to accompany the bill (H.R. 4520) to amend the Internal Revenue Code of 1986 to remove impediments in such Code and make our manufacturing, service, and high-technology businesses and workers more competitive and productive both at home and abroad.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Committee on Rules: Granted, by voice vote, a rule providing that suspensions will be in order at any time on the legislative day of Thursday, October 7, 2004. The rule provides that the Speaker or his designee will consult with the Minority Leader or her designee on any suspension considered under the rule.

9/11 RECOMMENDATIONS IMPLEMENTATION ACT

Committee on Rules: Granted, by voice vote, a structured rule providing three hours and forty minutes of general debate on H.R. 10, 9/11 Recommendations Implementation Act, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Permanent Select Committee on Intelligence, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform, 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations, 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Select Committee on Homeland Security. The rule waives all points of order against consideration of the bill.

The rule provides that the amendment in the nature of a substitute consisting of the text of the Rules Committee print dated October 4, 2004, shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute consisting of the text of the Rules Committee print. The rule makes in order only those further amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions.

OVERSIGHT—MARITIME DOMAIN AWARENESS

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Maritime Domain Awareness. Testimony was heard from the following officials of the Department of Homeland Security: Jeffrey P. High, Director, Maritime Domain Awareness, U.S. Coast Guard; and Robert A. Kacksta, Executive Director, Border Security and Facilitation, U.S. Customs and Border Protection; RADM Samuel P. DeBow, Director, Marine and Aviation Operations, NOAA, Department of Commerce.

VA SMART CARD INITIATIVE(S)

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a hearing on the status of the Department of Veterans Affairs smart card initiative(s). Testimony was heard from Benjamin H. Wu, Deputy Under Secretary, Technology, Technology Administration, Department of Commerce; Linda Koontz, Director, Information Management Issues, GAO; Robert N. McFarland, Assistant Secretary, Information and Technology, Department of Veterans Affairs; Robert J. Brandewie, Director, Defense Manpower Data Center, Office of the Secretary, Personnel and Readiness, Department of Defense; and a public witness.

BRIEFING—THREAT UPDATE

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Threat Update. The Committee was briefed by departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D1012)

H.R. 1308, to amend the Internal Revenue Code of 1986 to provide tax relief for working families. Signed on October 4, 2004. (Public Law 108–311)

H.R. 265, to provide for an adjustment of the boundaries of Mount Rainier National Park. Signed on October 5, 2004. (Public Law 108–312)

H.R. 1521, to provide for additional lands to be included within the boundary of the Johnstown Flood National Memorial in the State of Pennsylvania. Signed on October 5, 2004. (Public Law 108–313)

H.R. 1616, to authorize the exchange of certain lands within the Martin Luther King, Junior, National Historic Site for lands owned by the City of Atlanta, Georgia. Signed on October 5, 2004. (Public Law 108–314)

H.R. 1648, to authorize the Secretary of the Interior to convey certain water distribution systems of the Cachuma Project, California, to the Carpinteria Valley Water District and the Montecito Water District. Signed on October 5, 2004. (Public Law 108–315)

H.R. 1658, to amend the Railroad Right-of-Way Conveyance Validation Act to validate additional conveyances of certain lands in the State of California that form part of the right-of-way granted by the United States to facilitate the construction of the transcontinental railway. Signed on October 5, 2004. (Public Law 108–316)

H.R. 1732, to amend the Reclamation Water and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Williamson County, Texas, Water Recycling and Reuse Project. Signed on October 5, 2004. (Public Law 108–317)

H.R. 2696, to establish Institutes to demonstrate and promote the use of adaptive ecosystem management to reduce the risk of wildfires, and restore the health of fire-adapted forest and woodland ecosystems of the interior West. Signed on October 5, 2004. (Public Law 108–318)

H.R. 3209, to amend the Reclamation Project Authorization Act of 1972 to clarify the acreage for which the North Loup division is authorized to provide irrigation water under the Missouri River Basin project. Signed on October 5, 2004. (Public Law 108–319)

H.R. 3249, to extend the term of the Forest Counties Payments Committee. Signed on October 5, 2004. (Public Law 108–320)

H.R. 3389, to amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Malcolm

Baldrige National Quality Awards to be made to nonprofit organizations. Signed on October 5, 2004. (Public Law 108–321)

H.R. 3768, to expand the Timucuan Ecological and Historic Preserve, Florida. Signed on October 5, 2004. (Public Law 108–322)

S.J. Res. 41, commemorating the opening of the National Museum of the American Indian. Signed on October 5, 2004. (Public Law 108–323)

**COMMITTEE MEETINGS FOR THURSDAY,
OCTOBER 7, 2004**

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: business meeting to consider S. 1379, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States, and the nomination of Pamela Hughes Patenaude, of New Hampshire, to be an Assistant Secretary of Housing and Urban Development for Community Planning and Development, Time to be announced, S–216, Capitol.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the effect of Federal bankruptcy and pension policy on the financial situation of the airlines, 9:30 a.m., SR–253.

Committee on the Judiciary: business meeting to consider pending calendar business, 9:30 a.m., SD–226.

House

Committee on Energy and Commerce, Subcommittee on Energy and Air Quality, to mark up H.R. 3403, To amend the Clean Air Act to modify certain provisions regarding methyl bromide, 1 p.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee Housing and Community Opportunity, hearing entitled “Mortgage Fraud and its Impact on Mortgage Lenders,” 10 a.m., 2128 Rayburn.

Committee on International Relations, to mark up the following measures: H. Res. 28, Expressing the sense of the House of Representatives that the United States should declare its support for the Independence of Kosova; and H.R. 2760, Resolution of the Ethiopia-Eritrea Border Dispute Act of 2003, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, oversight hearing on Federal Offender Reentry and Protecting Children from Criminal Recidivists, 9 a.m., 2141 Rayburn.

Permanent Select Committee on Intelligence, executive, Briefing on Iraq Survey Group Report, 2 p.m., H–405 Capitol.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the long-run economics of natural gas, 10 a.m., SD–628.

Next Meeting of the SENATE

9:30 a.m., Thursday, October 7

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of S. Res. 445, Intelligence Committee Reorganization Resolution. Also, Senate may begin consideration of the conference report to accompany H.R. 4520, American Jobs Creation Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, October 7

House Chamber

Program for Thursday: Consideration of H.R. 10, 9/11 Recommendations Implementation Act (subject to a rule).

Rolled votes on Suspensions:

- (1) Internet Spyware (I-SPY) Prevention Act of 2004;
- (2) Research Review Act of 2004;
- (3) Providing additional teacher loan forgiveness on Federal student loans
- (4) Reauthorizing and improving programs under the Public Works and Economic Development Act of 1965; and
- (5) Comprehensive Peace in Sudan Act.



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